

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

TREVOR MILTON,

Defendant.

No. 21-cr-478 (ER)

**DECLARATION OF
JONATHAN MANSBACH**

I, JONATHAN MANSBACH, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a paralegal at Shapiro Arato Bach LLP, co-counsel to Defendant Trevor Milton in this action. I submit this declaration in support of Mr. Milton's Motion for a New Trial and a Judgment of Acquittal on Count Three.

2. Attached hereto as **Exhibit A** is a true and correct copy of an October 16, 2022 article titled "After Trevor Milton Verdict and Book Interview on Why Lone Not Guilty and Kim Brady Role," from the website *Inner City Press*, at <http://www.innercitypress.com/interview1nikolamiltonjuryicp101622.html>.

3. Attached hereto as **Exhibit B** is a true and correct copy of an October 17, 2022, article titled "On Trevor Milton Verdict & Book 2d Interview on Hicks as Greedy and Why Lone Not Guilty," from the website *Inner City Press*, at <http://www.innercitypress.com/interview2nikolamiltonjuryicp101722.html>.

4. Attached hereto as **Exhibit C** is a true and correct copy of an October 27, 2022, article by Corinne Ramey titled, "Inside a Jury's Five-Hour Journey to Convict Nikola's Trevor Milton," from the *Wall Street Journal*, at <https://www.wsj.com/articles/inside-a-jurys-five-hour-journey-to-convict-nikolas-trevor-milton-11666863002>.

5. Attached hereto as **Exhibit D** is a true and correct copy of a November 10, 2022 article by Jessica Reed Kraus titled, “When the Jury Gets it Wrong: A growing trend of activists jurors is fueling new reasons for appeal,” from the website *House Inhabit*, at <https://jessicareedkraus.substack.com/p/when-the-jury-gets-it-wrong>.

6. In the above article, Ms. Kraus writes that she “reached out on Twitter to” Juror No. 6 and associates Juror No. 6 with the Twitter handle @BurnsBurnt and the Twitter name “jenniffer burns.”

7. A vendor, Page Vault Inc. (“Page Vault”), assisted with capturing particularly voluminous social media content in connection with this motion. Attached hereto as **Exhibit E** is an affidavit of Todd W. Price dated December 14, 2022 describing Page Vault’s work.

8. Attached hereto as **Exhibit F** is a true and correct copy of the first three pages of the public Twitter page for the @BurnsBurnt (jenniffer burns) Twitter account, at <https://twitter.com/BurnsBurnt>, as captured by Page Vault on December 13, 2022, with pagination added for ease of reference.

9. Attached hereto as **Exhibit G** is a true and correct copy of the Twitter tweet and reply activity for the @BurnsBurnt (jenniffer burns) Twitter account, at https://twitter.com/BurnsBurnt/with_replies, as captured by Page Vault on December 13, 2022, with pagination added for ease of reference.

10. Attached hereto as **Exhibit H** is a true and correct copy of an excerpt of the public “Likes” page for the @BurnsBurnt (jenniffer burns) Twitter account, at <https://twitter.com/BurnsBurnt/likes>, encompassing the period August 10, 2022 through November 23, 2022, as captured by Page Vault on December 13, 2022, with pagination added for ease of reference.

11. According to the public Twitter activity captured in Exhibits F – H, in the period August 12, 2022 through September 11, 2022, the @BurnsBurnt (jenniffer burns) Twitter account had approximately 54 tweets or replies and over 230 likes.

12. According to the public Twitter activity captured in Exhibits F – H, In the period September 12, 2022 through the morning of October 14, 2022, the @BurnsBurnt (jenniffer burns) Twitter account had approximately 240 tweets or replies and over 580 likes.

13. Attached hereto as **Exhibit I** are true and correct copies of select tweets, retweets, and replies posted by the @BurnsBurnt (jenniffer burns) Twitter account during the period September 8, 2022 through October 27, 2022, together with other users' tweets and/or replies for context, with pagination added for ease of reference.

14. Attached hereto as **Exhibit J** is a true and correct copy of the public "Following" page for the @BurnsBurnt (jenniffer burns) Twitter account, at <https://twitter.com/BurnsBurnt/following>, as captured by Page Vault on December 13, 2022, with pagination added for ease of reference.

15. The public Facebook page for the user "Jenni Dee," at <https://www.facebook.com/WhateverLies>, is extensive and extends back to approximately September 2012. Attached hereto as **Exhibit K** is a true and correct copy of the first 19 pages of that Facebook page, encompassing the period February 8, 2021 through July 25, 2021, as captured by Page Vault on December 13, 2022, with pagination added for ease of reference.

16. Attached hereto as **Exhibit L** are true and correct copies of select posts to the public Facebook page for the user "Jenni Dee" during the period November 17, 2020 through May 30, 2021, with pagination added for ease of reference.

17. Attached hereto as **Exhibit M** are true and correct copies of select replies posted by the the @LitmusGaming (Victor) Twitter account on October 17, 2022, together with other users' tweets and/or replies for context, with pagination added for ease of reference.

18. According to the public Twitter activity captured in Exhibit M, the user of the @LitmusGaming (Victor) Twitter account identified himself as "juror #9," in a comment posted on October 17, 2022 at 4:43 a.m. as well as a comment posted at 10:29 a.m.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
December 14, 2022



JONATHAN MANSBACH